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Attorneys for Plaintiff

UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA

ADRIANNE DESANTIS,

Case No. C 07 4474 JSW

Plaintiffs,

vs.

CITY OF SANTA ROSA, a municipal  
corporation; EDWIN FLINT, in his capacity as  
Chief of Police for the CITY OF SANTA  
ROSA; PATRICIA MANN, individually, and in  
her capacity as an officer for the CITY OF  
SANTA ROSA; RICH CELLI, individually and  
in his capacity as an officer for the CITY OF  
SANTA ROSA; TRAVIS MENKE, individually  
and in his capacity as an officer; and DOES 1-  
25, inclusive, individually and in their capacities  
as officers for the CITY OF SANTA ROSA,

Defendants.

**DECLARATION OF BENJAMIN  
NISENBAUM IN SUPPORT OF  
PLAINTIFFS' REPLY TO DEFENDANTS'  
OPPOSITION TO PLAINTIFFS' MOTION  
FOR SUMMARY JUDGMENT OR  
SUMMARY ADJUDICATION OF ISSUES**

**[Fed. R. Civ. P. 56©, 56(d)]**

Time: 9:00 a.m.  
Date: October 17, 2008  
Location: Courtroom 2, 17<sup>th</sup> Floor  
Judge: Hon. Jeffrey S. White  
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1 I, Benjamin Nisenbaum, hereby declare:

2 1. I am one of the attorneys of record for the Plaintiff. This declaration is submitted in  
3 support of Plaintiff's Opposition to Plaintiffs' Motion For Summary Judgment, in the above-  
4 captioned matter.

5 2. Attached hereto as Exhibit A is a true and correct copy of Police Practice Expert Lou  
6 Reiter's report, pertaining to this matter.

7 3. Attached hereto as Exhibit B are a true and correct copy of the deposition of witness and  
8 Plaintiff in a related matter Patricia DeSantis, pertaining to this matter.

9 4. Attached hereto as Exhibit C is a true and correct copy of the deposition of Officer Richard  
10 Celli, pertaining to this matter.

11 5. Attached hereto as Exhibit D is a true and correct copy of the deposition of Officer Travis  
12 Menke, pertaining to this matter.

13 6. Attached hereto as Exhibit E is a true and correct copy of the deposition of Officer Patricia  
14 Mann, pertaining to this matter.

15 7. Attached hereto as Exhibit F is a true and correct copy of the deposition of Officer Jerry  
16 Soares, pertaining to this matter.

17 8. Attached hereto as Exhibit G is a true and correct copy of the deposition of Officer Jerry  
18 Soares, pertaining to this matter.

19 9. Attached hereto as Exhibit H is a true and correct copy of the deposition of Officer Daniel  
20 Jones, pertaining to this matter.

21 10. Attached hereto as Exhibit I is a true and correct copy of the deposition of Chief of Police  
22 Edwin Flint, pertaining to this matter.

23  
24 I declare under penalty of perjury under the laws of the State of California that the foregoing  
25 is true and correct of my personal knowledge, except where stated on information and belief, and to  
26 those matters I am informed and believe them to be true. If called as a witness, I would competently  
27 testify to those matters stated herein.  
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1 Executed September 26, 2008 at Oakland, California.

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3 /S/

4 Benjamin Nisenbaum  
5 Attorney for Plaintiff  
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